

United States Bankruptcy Court
Western District of New York

In re:
The Diocese of Rochester
Debtor

Case No. 19-20905-PRW
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0209-2
Date Rcvd: Feb 16, 2024

User: admin
Form ID: pdforder

Page 1 of 11
Total Noticed: 5

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 18, 2024:

Recip ID	Recipient Name and Address
ntcapr	+ Ad Hoc Parish Committee, c/o Woods Oviatt Gilman LLP, Timothy P. Lyster, Esq., 1900 Bausch & Lomb Place, Rochester, NY 14604-2714
ntcapr	+ Continental Insurance Company, c/o Barclay Damon LLP, Attn: Jeffrey A. Dove, Esq., Barclay Damon Tower, 125 East Jefferson Street Syracuse, NY 13202-2515
intp	+ Continental Insurance Company, David Christian Attorneys LLC, 105 W. Madison St., 14th Floor, Chicago, IL 60602-4654
pr	+ Lisa M. Passero, The Diocese of Rochester, 1150 Buffalo Road, Rochester, NY 14624-1890

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ustWH	+ Email/Text: ustpreion02.br.ecf@usdoj.gov	Feb 16 2024 18:26:00	William K. Harrington, Office of The United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014-4811

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 18, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 16, 2024 at the address(es) listed below:

Name	Email Address
Adam Horowitz	on behalf of Creditor Certain Sexual Abuse Claimants adam@adamhorowitzlaw.com

Adam Horowitz	on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor adam@adamhorowitzlaw.com
Adam Horowitz	on behalf of Creditor 31 Claimants adam@adamhorowitzlaw.com
Adam Horowitz	on behalf of Attorney Horowitz Law Claimants adam@adamhorowitzlaw.com
Amy Keller	on behalf of Defendant AB 100 Doe et al akeller@lglaw.com, sfischer@lglaw.com
Amy Keller	on behalf of Creditor Certain Sexual Abuse Claimants akeller@lglaw.com sfischer@lglaw.com
Andrew Mina	on behalf of Interested Party London Market Insurers amina@duanemorris.com
Annette Rolain	on behalf of Interested Party First State Insurance Company arolain@rugerilaw.com
Beth Ann Bivona	on behalf of Notice of Appearance Creditor Continental Insurance Company bbivona@barclaydamon.com dstanz@barclaydamon.com
Beth Ann Bivona	on behalf of Interested Party Continental Insurance Company bbivona@barclaydamon.com dstanz@barclaydamon.com
Betty Luu	on behalf of Interested Party London Market Insurers bluu@duanemorris.com
Brianna M Espeland	on behalf of Creditor Kenneth Cubiotti brianna@jvwlaw.net
Brianna M Espeland	on behalf of Notice of Appearance Creditor Brian S. Delafranier brianna@jvwlaw.net
Brittany Mitchell Michael	on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors bmichael@pszjlaw.com
Brittany Mitchell Michael	on behalf of Creditor Committee Official Committee of Unsecured Creditors bmichael@pszjlaw.com
Camille W. Hill	on behalf of Debtor The Diocese of Rochester chill@bsk.com ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com
Carol Dupre	caroldopray61@yahoo.com
Catalina Sugayan	on behalf of Defendant CX Reinsurance Company Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Defendant Certain Underwriters at Lloyd's London catalina.sugayan@clydeco.us, Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Interested Party London Market Insurers catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Defendant HDI Global Specialty SE catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Defendant Markel International Insurance Company Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Interested Party HDI Global Specialty SE catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Interested Party Certain Underwriters at Lloyd's London catalina.sugayan@clydeco.us, Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Defendant Tenecom Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Defendant Certain London Market Companies catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catalina Sugayan	on behalf of Defendant The Dominion Insurance Company Limited catalina.sugayan@clydeco.us Nancy.Lima@clydeco.us
Catherine Beideman Heitzenrater	on behalf of Creditor The Chubb Companies cheitzenrater@duanemorris.com
Charles Edwin Jones	

	on behalf of Defendant Interstate Fire & Casualty Company charles.jones@lawmoss.com Brenda.murphy@lawmoss.com
Charles Edwin Jones	on behalf of Notice of Appearance Creditor National Surety Corporation charles.jones@lawmoss.com Brenda.murphy@lawmoss.com
Charles Edwin Jones	on behalf of Notice of Appearance Creditor Interstate Fire and Casualty Company charles.jones@lawmoss.com Brenda.murphy@lawmoss.com
Charles Edwin Jones	on behalf of Interested Party National Surety Corporation charles.jones@lawmoss.com Brenda.murphy@lawmoss.com
Charles Edwin Jones	on behalf of Interested Party Interstate Fire and Casualty Company charles.jones@lawmoss.com Brenda.murphy@lawmoss.com
Charles Edwin Jones	on behalf of Defendant National Surety Corporation charles.jones@lawmoss.com Brenda.murphy@lawmoss.com
Charles J. Sullivan	on behalf of Creditor Claimant MM csullivan@bsk.com kdoner@bsk.com;jhunold@bsk.com;CourtMail@bsk.com
Charles J. Sullivan	on behalf of Plaintiff The Diocese of Rochester csullivan@bsk.com kdoner@bsk.com;jhunold@bsk.com;CourtMail@bsk.com
Charles J. Sullivan	on behalf of Debtor The Diocese of Rochester csullivan@bsk.com kdoner@bsk.com;jhunold@bsk.com;CourtMail@bsk.com
Craig Goldblatt	on behalf of Interested Party Continental Insurance Company craig.goldblatt@wilmerhale.com
Craig Goldblatt	on behalf of Notice of Appearance Creditor Continental Insurance Company craig.goldblatt@wilmerhale.com
Danielle Spinelli	on behalf of Notice of Appearance Creditor Continental Insurance Company danielle.spinelli@wilmerhale.com
David C. Christian, II	on behalf of Notice of Appearance Creditor Continental Insurance Company dchristian@dca.law
David C. Christian, II	on behalf of Plaintiff THE CONTINENTAL INSURANCE COMPANY successor by merger to Commercial Insurance Company of Newark, New Jersey, and Fireman's Insurance Company of Newark, New Jersey dchristian@dca.law
David C. Christian, II	on behalf of Interested Party Continental Insurance Company dchristian@dca.law
David D. MacKnight	on behalf of Creditor The Sisters of Saint Joseph of Rochester Inc. dmacknight@lacykatzen.com, cpotter@lacykatzen.com;dgay@lacykatzen.com
Deola T. Ali	on behalf of Creditor Certain Sexual Abuse Claimants dali@awtxlaw.com
Devin L. Palmer	on behalf of Notice of Appearance Creditor Catholic Charities of the Diocese of Rochester dpalmer@boylancode.com dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Devin L. Palmer	on behalf of Notice of Appearance Creditor Camp Stella Maris of Livonia dpalmer@boylancode.com dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Devin L. Palmer	on behalf of Notice of Appearance Creditor Catholic Youth Organization dpalmer@boylancode.com dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Devin L. Palmer	on behalf of Notice of Appearance Creditor St. Joseph's Villa dpalmer@boylancode.com dpalmer@boylancode.com;sciaccia@boylancode.com;rmarks@boylancode.com
Diane Paolicelli	on behalf of Creditor ORLANDO RIVERA dpaolicelli@p2law.com
Diane Paolicelli	on behalf of Creditor 065 -Claimant (Creditor) dpaolicelli@p2law.com
Diane Paolicelli	on behalf of Creditor 528 - Claimant (Creditor) dpaolicelli@p2law.com
Diane Paolicelli	on behalf of Creditor PC-33 DOE dpaolicelli@p2law.com
Diane Paolicelli	

	on behalf of Creditor LCVAWCR DOE dpaolicelli@p2law.com
Diane Paolicelli	on behalf of Creditor 198 - Claimant (Creditor) dpaolicelli@p2law.com
Dirk C. Haarhoff	on behalf of Notice of Appearance Creditor Swiss Re America Corporation as Administrator dchaarhoff@kslnlaw.com
Dirk C. Haarhoff	on behalf of Defendant Colonial Penn Insurance Company dchaarhoff@kslnlaw.com
Dirk C. Haarhoff	on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company dchaarhoff@kslnlaw.com
Elin Lindstrom	on behalf of Notice of Appearance Creditor Jeff Anderson & Associates elin@andersonadvocates.com therese@andersonadvocates.com
Eric John Ward	on behalf of Notice of Appearance Creditor Catholic Youth Organization eward@wardgreenberg.com
Eric John Ward	on behalf of Notice of Appearance Creditor Camp Stella Maris of Livonia eward@wardgreenberg.com
Eric John Ward	on behalf of Notice of Appearance Creditor St. Joseph's Villa eward@wardgreenberg.com
Eric John Ward	on behalf of Notice of Appearance Creditor Catholic Charities of the Diocese of Rochester eward@wardgreenberg.com
Garry M. Graber	on behalf of Notice of Appearance Creditor Manufacturers and Traders Trust Company ggraber@hodgsonruss.com mheftka@hodgsonruss.com;cnapiers@hodgsonruss.com
Gerard Sweeney	on behalf of Creditor CC 403 gkosmakos@srblawfirm.com
Gerard Sweeney	on behalf of Creditor Claimants Certain Sexual Abuse gkosmakos@srblawfirm.com
Grayson T. Walter	on behalf of Debtor The Diocese of Rochester gwalter@bsk.com kdoner@bsk.com;CourtMail@bsk.com
Grayson T. Walter	on behalf of Plaintiff The Diocese of Rochester gwalter@bsk.com kdoner@bsk.com;CourtMail@bsk.com
Harris Winsberg	on behalf of Notice of Appearance Creditor National Surety Corporation hwinsberg@phrd.com
Harris Winsberg	on behalf of Defendant National Surety Corporation hwinsberg@phrd.com
Harris Winsberg	on behalf of Interested Party National Surety Corporation hwinsberg@phrd.com
Harris Winsberg	on behalf of Notice of Appearance Creditor Interstate Fire and Casualty Company hwinsberg@phrd.com
Harris Winsberg	on behalf of Defendant Interstate Fire & Casualty Company hwinsberg@phrd.com
Harris Winsberg	on behalf of Interested Party Interstate Fire and Casualty Company hwinsberg@phrd.com
Ilan D Scharf	on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com
Ilan D Scharf	on behalf of Intervenor Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com
Ilan D Scharf	on behalf of Attorney Pachulski Stang Ziehl & Jones LLP ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com
Ilan D Scharf	on behalf of Interested Party Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com
Ilan D Scharf	on behalf of Creditor Committee Official Committee of Unsecured Creditors ischarf@pszjlaw.com lcanty@pszjlaw.com;nrobinson@pszjlaw.com;bdassa@pszjlaw.com

Ingrid S. Palermo	on behalf of Debtor The Diocese of Rochester ipalermo@bsk.com kdoner@bsk.com;aparris@bsk.com
Isley Markman Gostin	on behalf of Notice of Appearance Creditor Continental Insurance Company isley.gostin@wilmerhale.com
Isley Markman Gostin	on behalf of Interested Party Continental Insurance Company isley.gostin@wilmerhale.com
James I. Stang	on behalf of Creditor Committee Official Committee of Unsecured Creditors jstang@pszjlaw.com
James K.T. Hunter	on behalf of Creditor Committee Official Committee of Unsecured Creditors jhunter@pszjlaw.com
James Pio Ruggeri	on behalf of Interested Party First State Insurance Company jruggeri@ruggerilaw.com
James R Marsh	on behalf of Creditor M.G. jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor R.O. jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor Claimant MM jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor Claimant Creditors Marsh Law Firm jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor 31 Claimants jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor S. B. jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor Certain Sexual Abuse Claimants jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor MLF-PCVA Creditors jamesmarsh@marsh.law
James R Marsh	on behalf of Creditor S.B. jamesmarsh@marsh.law
James R Murray	on behalf of Special Counsel Blank Rome LLP Jim.Murray@BlankRome.com, edocketing@blankrome.com
James R Murray	on behalf of Special Counsel James R Murray Jim.Murray@BlankRome.com edocketing@blankrome.com
James S. Carter	on behalf of Special Counsel Blank Rome LLP jscarter@blankrome.com
Jarrold W. Smith	on behalf of Notice of Appearance Creditor Donna Oppedisano jarroldsmithlaw@gmail.com
Jarrold W. Smith	on behalf of Creditor Donna Oppedisano jarroldsmithlaw@gmail.com
Jarrold W. Smith	on behalf of Notice of Appearance Creditor Kathleen Israel jarroldsmithlaw@gmail.com
Jarrold W. Smith	on behalf of Creditor Kathleen Israel jarroldsmithlaw@gmail.com
Jeff Kahane	on behalf of Interested Party London Market Insurers jkahane@duanemorris.com
Jeffrey Austin Dove	on behalf of Defendant The Continental Insurance Company jdove@barclaydamon.com avrooman@barclaydamon.com.jeffrey-dove-1212@ecf.pacerpro.com
Jeffrey Austin Dove	on behalf of Interested Party Continental Insurance Company jdove@barclaydamon.com avrooman@barclaydamon.com.jeffrey-dove-1212@ecf.pacerpro.com
Jeffrey Austin Dove	on behalf of Plaintiff THE CONTINENTAL INSURANCE COMPANY successor by merger to Commercial Insurance Company of Newark, New Jersey, and Fireman's Insurance Company of Newark, New Jersey jdove@barclaydamon.com, avrooman@barclaydamon.com.jeffrey-dove-1212@ecf.pacerpro.com
Jeffrey Austin Dove	

	on behalf of Notice of Appearance Creditor Continental Insurance Company jdove@barclaydamon.com avrooman@barclaydamon.com;jeffrey-dove-1212@ecf.pacerpro.com
Jeffrey D. Eaton	on behalf of Debtor The Diocese of Rochester jeaton@bsk.com kdoner@bsk.com;tayers@bsk.com;CourtMail@bsk.com
Jesse Bair	on behalf of Special Counsel Burns Bowen Bair LLP jbair@burnsbair.com kdempski@burnsbair.com
Jesse Bair	on behalf of Creditor Committee Official Committee of Unsecured Creditors jbair@bbblawllp.com kdempski@burnsbair.com
Jesse Bair	on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors jbair@burnsbair.com kdempski@burnsbair.com
John Bucheit	on behalf of Defendant National Surety Corporation jbucheit@phrd.com ssnead@phrd.com
John Bucheit	on behalf of Interested Party National Surety Corporation jbucheit@phrd.com ssnead@phrd.com
John Bucheit	on behalf of Interested Party Interstate Fire and Casualty Company jbucheit@phrd.com ssnead@phrd.com
John Bucheit	on behalf of Defendant Interstate Fire & Casualty Company jbucheit@phrd.com ssnead@phrd.com
John A. Mueller	on behalf of Notice of Appearance Creditor Monroe County jmueller@lippes.com jtenczar@lippes.com
Jon Travis Powers	on behalf of Defendant Interstate Fire & Casualty Company powerst@whiteandwilliams.com travis.powers@leclairryan.com;kimberly.bendzus@leclairryan.com;jill.harris@leclairryan.com;carla.ford@leclairryan.com
Jon Travis Powers	on behalf of Defendant National Surety Corporation powerst@whiteandwilliams.com travis.powers@leclairryan.com;kimberly.bendzus@leclairryan.com;jill.harris@leclairryan.com;carla.ford@leclairryan.com
Jon Travis Powers	on behalf of Interested Party Interstate Fire and Casualty Company powerst@whiteandwilliams.com travis.powers@leclairryan.com;kimberly.bendzus@leclairryan.com;jill.harris@leclairryan.com;carla.ford@leclairryan.com
Jon Travis Powers	on behalf of Interested Party National Surety Corporation powerst@whiteandwilliams.com travis.powers@leclairryan.com;kimberly.bendzus@leclairryan.com;jill.harris@leclairryan.com;carla.ford@leclairryan.com
Joshua D Weinberg	on behalf of Interested Party First State Insurance Company jweinberg@rugerilaw.com
Judith Treger Shelton	on behalf of Notice of Appearance Creditor Swiss Re America Corporation as Administrator jtshelton@kslnlaw.com
Judith Treger Shelton	on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company jtshelton@kslnlaw.com
Judith Treger Shelton	on behalf of Defendant Colonial Penn Insurance Company jtshelton@kslnlaw.com
Kaitlin M. Calov	on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company kcalov@wwmlawyers.com jvail@walkerwilcox.com
Kaitlin M. Calov	on behalf of Notice of Appearance Creditor Swiss Re America Corporation as Administrator kcalov@wwmlawyers.com jvail@walkerwilcox.com
Kaitlin M. Calov	on behalf of Defendant Colonial Penn Insurance Company kcalov@wwmlawyers.com jvail@walkerwilcox.com
Katerina Marie Kramarchyk	on behalf of Notice of Appearance Creditor Catholic Charities of the Diocese of Rochester kkramarchyk@wardgreenberg.com
Katerina Marie Kramarchyk	on behalf of Notice of Appearance Creditor St. Joseph's Villa kkramarchyk@wardgreenberg.com
Katerina Marie Kramarchyk	on behalf of Notice of Appearance Creditor Camp Stella Maris of Livonia kkramarchyk@wardgreenberg.com
Katerina Marie Kramarchyk	on behalf of Notice of Appearance Creditor Catholic Youth Organization kkramarchyk@wardgreenberg.com
Kathleen Thomas	

	on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor kat@tlclawllc.com
Kathleen Thomas	on behalf of Creditor Certain Sexual Abuse Claimants kat@tlclawllc.com
Kathleen Thomas	on behalf of Creditor J. O. kat@tlclawllc.com
Kathleen Dunivin Schmitt	USTPRegion02.RO.ECF@USDOJ.GOV
Kelly McNamee	on behalf of Interested Party Gannett Co. Inc. mcnameek@gtlaw.com
Lauren Lifland	on behalf of Notice of Appearance Creditor Continental Insurance Company lauren.lifland@wilmerhale.com
Leander Laurel James, IV	on behalf of Creditor Kenneth G. Cubiotti ljames@jvwlaw.net Lucia@jvwlaw.net
Leander Laurel James, IV	on behalf of Creditor GM127 DOE ljames@jvwlaw.net Lucia@jvwlaw.net
Leander Laurel James, IV	on behalf of Interested Party Kenneth Cubiotti ljames@jvwlaw.net Lucia@jvwlaw.net
Leander Laurel James, IV	on behalf of Creditor MG133 DOE ljames@jvwlaw.net Lucia@jvwlaw.net
Leander Laurel James, IV	on behalf of Creditor CW187 DOE ljames@jvwlaw.net Lucia@jvwlaw.net
Leander Laurel James, IV	on behalf of Creditor JP185 DOE ljames@jvwlaw.net Lucia@jvwlaw.net
Leander Laurel James, IV	on behalf of Notice of Appearance Creditor Kenneth G. Cubiotti ljames@jvwlaw.net Lucia@jvwlaw.net
Leander Laurel James, IV	on behalf of Creditor Kenneth Cubiotti ljames@jvwlaw.net Lucia@jvwlaw.net
Lee E. Woodard	on behalf of Special Counsel Harris Beach PLLC bkemail@harrisbeach.com efilings@harrisbeach.com;broy@harrisbeach.com;bmahoney@HarrisBeach.com;KMeans@HarrisBeach.com
Lucien A. Morin, II	on behalf of Notice of Appearance Creditor Amaryllis Figueroa lmorin@mccmlaw.com lmorinzmc@aol.com;jcole@mccmlaw.com;kruegermr74613@notify.bestcase.com
Mark D. Plevin	on behalf of Notice of Appearance Creditor Continental Insurance Company mplevin@crowell.com mark-plevin-crowell-moring-8073@ecf.pacerpro.com
Mark D. Plevin	on behalf of Interested Party Continental Insurance Company mplevin@crowell.com mark-plevin-crowell-moring-8073@ecf.pacerpro.com
Mark D. Plevin	on behalf of Plaintiff THE CONTINENTAL INSURANCE COMPANY successor by merger to Commercial Insurance Company of Newark, New Jersey, and Fireman's Insurance Company of Newark, New Jersey mplevin@crowell.com, mark-plevin-crowell-moring-8073@ecf.pacerpro.com
Mary Jo Korona	on behalf of Notice of Appearance Creditor Bishop Emeritus Matthew H. Clark mkorona@adamsleclair.law sarahi@leclairkorona.com
Matthew Roberts	on behalf of Defendant Interstate Fire & Casualty Company mroberts@phrd.com
Matthew Roberts	on behalf of Interested Party National Surety Corporation mroberts@phrd.com
Matthew Roberts	on behalf of Interested Party Interstate Fire and Casualty Company mroberts@phrd.com
Matthew Roberts	on behalf of Defendant National Surety Corporation mroberts@phrd.com
Matthew Griffin Merson	on behalf of Notice of Appearance Creditor Merson Law PLLC mmerson@mersonlaw.com
Matthew John Obiala, I	on behalf of Interested Party London Market Insurers matt.obiala@clydeco.us

Matthew Michael Weiss	on behalf of Interested Party National Surety Corporation mweiss@phrd.com
Matthew Michael Weiss	on behalf of Interested Party Interstate Fire and Casualty Company mweiss@phrd.com
Melanie Wolk	on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor mwolk@treveccristo.com rkernan@treveccristo.com;zimmermann@treveccristo.com
Michael Finnegan	on behalf of Defendant AB 100 Doe et al mike@andersonadvocates.com, therese@andersonadvocates.com,erin@andersonadvocates.com
Michael Finnegan	on behalf of Creditor Certain Sexual Abuse Claimants mike@andersonadvocates.com therese@andersonadvocates.com,erin@andersonadvocates.com
Michael Finnegan	on behalf of Notice of Appearance Creditor Jeff Anderson & Associates mike@andersonadvocates.com therese@andersonadvocates.com,erin@andersonadvocates.com
Michael Watson	on behalf of Notice of Appearance Creditor Sexual Abuse Survivor/Creditor mwatson@thematthewslawfirm.com
Michael Watson	on behalf of Creditor Certain Sexual Abuse Claimants mwatson@thematthewslawfirm.com
Michael A. Weishaar	on behalf of Notice of Appearance Creditor Jeff Anderson & Associates rbg_gmf@hotmail.com r48948@notify.bestcase.com,gmwecfalternate@gmail.com,bankruptcy@gmlaw.com
Michael J Grygiel	on behalf of Interested Party Gannett Co. Inc. grygielm@gtlaw.com, alblitdock@gtlaw.com,alblitsupport@gtlaw.com,caponev@gtlaw.com
Miranda Turner	on behalf of Notice of Appearance Creditor Continental Insurance Company mturner@crowell.com
Miranda Turner	on behalf of Interested Party Continental Insurance Company mturner@crowell.com
Miranda Turner	on behalf of Plaintiff THE CONTINENTAL INSURANCE COMPANY successor by merger to Commercial Insurance Company of Newark, New Jersey, and Fireman's Insurance Company of Newark, New Jersey mturner@crowell.com
Mitchell Garabedian	on behalf of Creditor VJR 41 mgarabedian@garabedianlaw.com
Mitchell Garabedian	on behalf of Creditor SHC-MG-2 Doe mgarabedian@garabedianlaw.com
Mitchell Garabedian	on behalf of Creditor DG 278 mgarabedian@garabedianlaw.com
Mitchell Garabedian	on behalf of Creditor SM 247 mgarabedian@garabedianlaw.com
Mitchell Garabedian	on behalf of Creditor BB 44 mgarabedian@garabedianlaw.com
Mitchell Garabedian	on behalf of Creditor Victor Rivera mgarabedian@garabedianlaw.com
Mitchell Garabedian	on behalf of Creditor Carol Dupre mgarabedian@garabedianlaw.com
Mitchell Garabedian	on behalf of Creditor MS 275 mgarabedian@garabedianlaw.com
Mohammad Tehrani	on behalf of Interested Party London Market Insurers mtehrani@duanemorris.com
Nathan W. Reinhardt	on behalf of Interested Party London Market Insurers nreinhardt@duanemorris.com
Nathaniel Foote	on behalf of Creditor Thomas David Adams nate@vca.law
Nathaniel Foote	on behalf of Attorney Nathaniel Lucas Foote nate@vca.law
Paul L. Leclair	

on behalf of Notice of Appearance Creditor St. Bernard's School of Theology and Ministry pleclair@adamsleclair.law
arichardson@adamsleclair.law

Peter Garthwaite

on behalf of Defendant Tenecom Limited peter.garthwaite@clydeco.com

Peter Garthwaite

on behalf of Interested Party London Market Insurers peter.garthwaite@clydeco.com

Renee E. Franchi

on behalf of Creditor Thomas David Adams renee@vca.law

Robert P. Arnold

on behalf of Defendant Colonial Penn Insurance Company rarnold@walkerwilcox.com MZaiko@walkerwilcox.com

Robert P. Arnold

on behalf of Notice of Appearance Creditor Colonial Penn Insurance Company rarnold@walkerwilcox.com
MZaiko@walkerwilcox.com

Russell Webb Roten

on behalf of Defendant Interstate Fire & Casualty Company RWRoten@duanemorris.com

Russell Webb Roten

on behalf of Interested Party Interstate Fire and Casualty Company RWRoten@duanemorris.com

Russell Webb Roten

on behalf of Defendant Certain London Market Companies RWRoten@duanemorris.com

Russell Webb Roten

on behalf of Interested Party London Market Insurers RWRoten@duanemorris.com

Russell Webb Roten

on behalf of Interested Party Certain Underwriters at Lloyd's London RWRoten@duanemorris.com

Sam A Elbadawi

on behalf of Interested Party First State Insurance Company selbadawi@sugarmanlaw.com

Samrah Mahmoud

on behalf of Interested Party Interstate Fire and Casualty Company samrah.mahmoud@troutman.com

Sara C. Temes

on behalf of Debtor The Diocese of Rochester stemes@bsk.com CourtMail@bsk.com;kdoner@bsk.com

Scott Michael Duquin

on behalf of Creditor J. F. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor John Doe 3 sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor M. B. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor Michael Crespo sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor Daniel Regan sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor D. S. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor D S sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor B. M. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor M. P. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor Certain Sexual Abuse Claimants sduquin@hoganwillig.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor J. O. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor T. G. sduquin@hermanlaw.com smdlaw27@gmail.com

Scott Michael Duquin

on behalf of Creditor Daniel Crespo sduquin@hermanlaw.com smdlaw27@gmail.com

Shannon Anne Scott

	on behalf of U.S. Trustee William K. Harrington shannon.scott2@usdoj.gov
Shirley S. Cho	on behalf of Creditor Committee Official Committee of Unsecured Creditors scho@pszjlaw.com
Siobhain Patricia Minarovich	on behalf of Defendant Interstate Fire & Casualty Company minarovichs@whiteandwilliams.com
Siobhain Patricia Minarovich	on behalf of Interested Party National Surety Corporation minarovichs@whiteandwilliams.com
Siobhain Patricia Minarovich	on behalf of Interested Party Interstate Fire and Casualty Company minarovichs@whiteandwilliams.com
Siobhain Patricia Minarovich	on behalf of Notice of Appearance Creditor Interstate Fire and Casualty Company minarovichs@whiteandwilliams.com
Siobhain Patricia Minarovich	on behalf of Defendant National Surety Corporation minarovichs@whiteandwilliams.com
Siobhain Patricia Minarovich	on behalf of Notice of Appearance Creditor National Surety Corporation minarovichs@whiteandwilliams.com
Sommer L. Ross	on behalf of Interested Party London Market Insurers sloss@duanemorris.com
Stephen Boyd	on behalf of Notice of Appearance Creditor 1 - Doe AB sboyd@steveboyd.com rmatuzic@steveboyd.com
Stephen Boyd	on behalf of Creditor Certain Sexual Abuse Claimants sboyd@steveboyd.com rmatuzic@steveboyd.com
Stephen A. Donato	on behalf of Plaintiff The Diocese of Rochester sdonato@bsk.com ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com
Stephen A. Donato	on behalf of Attorney Bond Schoeneck & King, PLLC sdonato@bsk.com, ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com
Stephen A. Donato	on behalf of Defendant The Diocese of Rochester sdonato@bsk.com ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com
Stephen A. Donato	on behalf of Debtor The Diocese of Rochester sdonato@bsk.com ayerst@bsk.com;kdoner@bsk.com;CourtMail@bsk.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 496 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 434 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 557 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 480 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 527 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 468 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 481 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 485 sbross@sssfirm.com
Stephenie Lannigan Bross	on behalf of Creditor claimant 274 sbross@sssfirm.com
Steve Phillips	on behalf of Creditor LCVAWCR-DOE sphillips@p2law.com
Steve Phillips	on behalf of Creditor LCVAWCR DOE sphillips@p2law.com
Steven D. Allison	on behalf of Interested Party Interstate Fire and Casualty Company steven.allison@troutman.com tracey.cantu@troutman.com
Stuart S. Mermelstein	on behalf of Creditor Claimants smermelstein@hermanlaw.com gdano@hermanlaw.com

District/off: 0209-2
Date Rcvd: Feb 16, 2024

User: admin
Form ID: pdforder

Page 11 of 11
Total Noticed: 5

Timothy Patrick Lyster	on behalf of Interested Party Ad Hoc Parish Committee tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com
Timothy Patrick Lyster	on behalf of Notice of Appearance Creditor Ad Hoc Parish Committee tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com
Timothy W. Burns	on behalf of Special Counsel Burns Bowen Bair LLP tburns@bbblawllp.com kdempski@burnsbair.com;aturgeon@burnsbair.com
Timothy W. Burns	on behalf of Creditor Committee Official Committee of Unsecured Creditors tburns@bbblawllp.com kdempski@burnsbair.com;aturgeon@burnsbair.com
Timothy W. Burns	on behalf of Notice of Appearance Creditor Official Committee of Unsecured Creditors tburns@burnsbair.com kdempski@burnsbair.com;aturgeon@burnsbair.com
Todd C. Jacobs	on behalf of Defendant National Surety Corporation tjacobs@phrd.com ssnead@phrd.com
Todd C. Jacobs	on behalf of Defendant Interstate Fire & Casualty Company tjacobs@phrd.com ssnead@phrd.com
Todd C. Jacobs	on behalf of Interested Party National Surety Corporation tjacobs@phrd.com ssnead@phrd.com
Todd C. Jacobs	on behalf of Interested Party Interstate Fire and Casualty Company tjacobs@phrd.com ssnead@phrd.com
Victoria Phillips	on behalf of Creditor LCVAWCR-DOE vphillips@p2law.com
William Henry Gordon	on behalf of Creditor Carol Dupre wgordon@garabedianlaw.com

TOTAL: 247

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

The Diocese of Rochester,

Debtor.

Bankruptcy Case No. 19-20905-PRW
Chapter 11

**DECISION AND ORDER
DECLINING TO APPROVE COMPETING DISCLOSURE STATEMENTS
FILED BY CONTINENTAL INSURANCE COMPANY
AND JOINTLY BY THE DEBTOR & CREDITORS' COMMITTEE**

PAUL R. WARREN, U.S.B.J.

On January 30, 2024, the Court held a hearing on CNA's *Motion for Entry of an Order Approving Disclosure Statement in Support of Continental Insurance Company's Chapter 11 Plan of Reorganization for the Diocese of Rochester, Approving Solicitation Procedures for Continental Insurance Company's Plan of Reorganization for the Diocese of Rochester, Approving Ballots and Establishing Procedures for Voting on Competing Plans, Approving the Form, Manner, and Scope of Notice for the Confirmation Hearing and Granting Related Relief* (ECF No. 2284) and the Diocese/Committee's *Motion for Entry of an Order Approving Disclosure Statement; Approving Solicitation Packages and Distribution Procedures; Approving the Forms of Ballots and Establishing Procedures for Voting on Joint Amended Plan; Approving the Form, Manner, and Scope of Confirmation Notices; Establishing Certain Deadlines in Connection with Approval of the Disclosure Statement and Confirmation of the Joint Amended Plan; and Granting Related Relief* (ECF No. 2285).

After careful consideration of voluminous submissions filed by CNA and the Diocese/Committee, and after consideration of the argument from counsel to the parties during a

lengthy hearing, in support of their respective Disclosure Statements and in opposition to their opponent's, as well as objections filed by the UST and the Sisters of Saint Joseph, the Court declined to approve either Disclosure Statement, as currently presented. (ECF Nos. 2046, 2218, 2247, 2341, 2345, 2348, 2349, 2351, 2373, 2375, 2376, 2378, 2379, 2392, 2393, 2394, 2428, 2429, 2430, 2434, 2438, 2443). The Court delivered an oral decision detailing the deficiencies in both Disclosure Statements. Following the hearing, the Court was informed that the digital recording system had failed, as a result of which no transcript could be produced. (See ECF Nos. 2451 & 2452). Despite the fact that the many attorneys in attendance appeared to be writing feverishly as the Court delivered its oral ruling, a number of those attorneys have contacted chambers to request a copy of the Court's bench notes. In response to those requests, the Court supplements its oral ruling with this written Decision and Order.

As stated during the hearing, the following *non-exclusive list* of deficiencies must be addressed in further amended Disclosure Statements:

1. Both Disclosure Statements lack plain language explanations of how Survivors will be treated under the Plan.
2. Both Disclosure Statements lack adequate information because neither informs the average Survivor, clearly and succinctly, how much money he/she may receive, when he/she will receive it, and what contingencies there are to receiving a distribution.
3. Neither Disclosure Statement provides information, clearly and succinctly, detailing how much of the settlement funding will be deducted to cover administrative expenses or to fund reserves—such as future claims, Diocese post-confirmation costs, “Enhanced Claims,” or Trust expenses, so that it is plain for all

to see how much of the “headline settlement amount” will actually be left for distribution to Survivors. The Court recalls that during the hearing, counsel to the Diocese conceded those administrative costs could approach \$50 million, leaving considerably less than \$126.35 million for Abuse Survivors under the Diocese/Committee Plan. It seems odd that Committee counsel demanded that disclosure be made in the Rockville Centre case, but that same Committee counsel has been noticeably silent on insisting that information be disclosed in this case.

4. Both Disclosure Statements provide that distributions will be made to Survivors in the manner set out in the Allocation Protocol and Trust Agreement—both of which are filed separately as Exhibits to the Plan Supplement. (*See* ECF No. 2373, Ex. 1 & 3; ECF No. 2427, Ex. 1 & 5). Such information must be included in straightforward language within the four corners of each Disclosure Statement. The Court and Survivors should not have to piece together information from various documents.
5. Neither Plan proponent responded to the UST objection (ECF No. 2345) concerning the exclusion of quarterly fees from amounts funding the Plan, which the UST asserts to be improper under 28 U.S.C. § 1930.
6. Neither Disclosure Statement adequately addresses the UST’s objection concerning third-party releases, non-consensual releases, and the scope of exculpation and indemnification provisions to the proposed Plans, in an easily understood manner, so that Survivors can understand the ramifications to the proposed Plans if some or all of those provisions are found to be improper. What is “Plan B” should that occur?

7. CNA's Disclosure Statement fails to provide any information to Survivors about the potential exposure to CNA if Survivors are successful in proving liability on the part of the Diocese and in defeating the coverage defenses mentioned by CNA.
8. With regard to the Diocese/Committee Disclosure Statement, the Court will not approve a Disclosure Statement or Plan that includes "Stipulated Judgments"—or a similar term designed to do the same thing—a position that the Court has espoused for over a year.
9. With regard to the Diocese/Committee Disclosure Statement and Plan—the inclusion of an "exception" to the insurance neutrality provisions that states that the Court will enter a confirmation order finding that the insurance assignment does not trigger a coverage defense is overreaching and unacceptable, as counsel seemed to acknowledge at the hearing.
10. The Diocese/Committee Disclosure Statement fails to inform Survivors of the financial impact on Survivors who are not chosen to be "Litigation Claimants" or how much money the Trust must set aside to fund "Claim Enhancements." Further, there is no discussion of the legal basis to treat the members of the same class differently, seemingly in violation of § 1123(a)(4).
11. There is conflicting language in the Diocese/Committee Disclosure Statement regarding the recovery or non-recovery of "Economic Damages" by abuse claimants. Identical language to that contained in the Allocation Protocol was objected to by Pachulski Stang Ziehl & Jones LLP, as Committee counsel, before Judge Glenn in the Diocese of Rockville Centre case a few weeks ago. And yet,

before this Court counsel is supporting the same language it found offensive in the Rockville Centre case. Why?

12. The Diocese/Committee Disclosure Statement fails to include financial information that would allow Survivors (and the Court) to assess whether “Protected Parties” such as parishes, schools and other organizations that seek to be released under the Plan are making a financial contribution that is fair/substantial, as compared to the liability being released.
13. The Diocese/Committee Disclosure Statement and Plan appear to give the Diocese prospective approval of an Exit Financing Facility, without any meaningful information and without Court approval.
14. The Diocese/Committee and counsel to the Sisters of Saint Joseph are to meet and confer for the purpose of drafting language to be included in the Disclosure Statement and Plan, addressing the concerns of the Sisters of Saint Joseph as a joint tortfeasor, which language is to be broad enough to protect any similarly situated joint tortfeasor.
15. The Diocese/Committee Disclosure Statement and Plan must address any post-petition abuse claims made against the Diocese, with a detailed discussion of how any such claim will be treated under the Plan and estimated for purposes of confirmation.

While the Survivors and the public may have been led to believe that this Court’s decision to decline to approve the Disclosure Statements stands alone and is unusual, counsel are all well-aware that Judge Glenn and Judge Kinsella also declined to approve the Disclosure Statements in the cases involving the Dioceses of Rockville Centre and Syracuse. The Plan proponents are

directed to study the rulings concerning the Disclosure Statements, recently issued by Judge Glenn (*See The Roman Catholic Diocese of Rockville Centre, New York, Case No. 20-12345, Order Regarding the Second Modified Disclosure Statement for First Amended Plan of Reorganization Proposed by The Roman Catholic Diocese of Rockville Centre, New York, at ECF No. 2828 (Bankr. S.D.N.Y. Jan. 18, 2024)*) and Judge Kinsella (*See The Roman Catholic Diocese of Syracuse, New York, Case No. 20-30663, Order Denying Approval of the Disclosure Statement in Support of Joint Chapter 11 Plan of Reorganization for The Roman Catholic Diocese of Syracuse, New York Dated December 6, 2023, at ECF No. 1664 (Bankr. N.D.N.Y. Feb. 8, 2024)*). The Court expects that the Diocese/Committee (and CNA where applicable) will incorporate curative provisions in the Disclosure Statements and Plans in this case to address revisions required by Judge Glenn or Judge Kinsella in the Rockville Centre or Syracuse cases, or explain in great detail why the curative provisions in those cases are not being made in this case (for example, see pages 5-6 of Judge Kinsella's Order for additional concerns that seem to apply with equal measure to various documents that this Court has been asked to approve or the Plan that this Court will be asked to confirm). Given the fact that many of the attorneys in this case are also involved in other pending diocesan bankruptcy cases, it should not be burdensome for counsel to look to other cases for drafting samples.

The Court has not ruled on the merits of the CNA and Diocese/Committee's motions—with the likely exception of the “insurance neutrality” issues such as stipulated judgments and the proposed insurance assignment language, as discussed above. For purposes of disclosure, neither the Court nor the Survivors should be expected to distill down, decipher or connect-the-dots between multiple documents. The Abuse Survivors should not be left to wonder how much money they may receive, when it might be paid, and how much of the “headline settlement pot” will

actually be left after the administrative costs are taken out. Accordingly, the Plan proponents are directed as follows: Simplified Disclosure Statements are to be filed with the Court on or before **March 15, 2024, at 3:00 p.m. EST**. Objections to the Disclosure Statements are to be filed on or before **April 1, 2024, at 3:00 p.m. EST**. A continuation of the hearing on the motions of CNA and the Diocese/Committee will be held on **April 16, 2024, at 11:00 a.m.** The hearing will be held in person in the Rochester Courthouse. The hearing will not be available by telephone.

IT IS SO ORDERED.

DATED: February 16, 2024
Rochester, New York

_____/s/
HON. PAUL R. WARREN
United States Bankruptcy Judge